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June 5, 2001

BY HAND DELIVERY AND E-MAIL

Mary Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: D.T.E. 01-39

Dear Ms. Cottrell:

Enclosed for filing, on the public record, please find:

AT&T And Covad's First Set Of Information Requests To Verizon.

Attached to the copy of the foregoing document that is being served on Verizon's counsel is a list of AT&T and Covad collocation cages and locations. Such list is referenced in the enclosed set of information requests. This list, however, is not being filed with the Department because it is confidential. **By copy of this letter, AT&T and Covad request that Verizon file its response to this set of information requests under seal and refrain from serving such response on any other party.** AT&T and Covad will file a motion for protective treatment requesting that the confidential information contained in Verizon's response be protected from public disclosure pursuant to G.L. c. 25, § 5D.

In preparing the enclosed information requests, AT&T and Covad are cognizant of the Department's expectation that the discovery in this case be focused. As a result, AT&T and Covad have made every effort to ensure that the enclosed discovery is carefully directed at the issues that are central to this case. The central issues of this case involve whether Verizon made it possible for AT&T and Covad to order their power requirements and whether Verizon provided pursuant to the terms of the tariff what AT&T and Covad sought to order. Thus, the case necessarily involves (a) the communications that took place between the parties in connection with the ordering of power and the process that Verizon made available for such communications and (b) the amount of power that was provisioned, billed and paid for. Virtually every information request is directed to one of these two issues. Much of the discovery is directed at Verizon's Answer in this proceeding and seeks the details

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that support Verizon's sometimes broad and non-specific factual claims. Most of the rest of the information requests seek Verizon's position with regard to the amount in dispute (*e.g.*, identity and number of collocation cages, the time periods during which power was provisioned and billed, the amount of power ordered, billed and paid for).

Kindly acknowledge receipt of the foregoing by date stamping a copy of this letter and returning it to the waiting messenger.

Very truly yours,

Jay E. Gruber

Enclosure

cc: Service List (attached)